FILED LAW OFFICE 1 THOMAS McKEE TARPLEY DISTRICT COURT OF GUAM A Professional Corporation 2 Bank of Hawaii Building APR 27 2007 -X 134 Soledad Avenue, Suite 402 Hagatna, Guam 96910 MARY L.M. MORAN Telephone: (671) 472-1539 **CLERK OF COURT** Facsimile: (671) 472-4526 Electronic mail: tarpley@guam.net 5 FORREST BOOTH (Cal. Bar No. 74166) (admitted pro hac vice) RYAN C. DONLON (Cal. Bar No. 229292) (admitted pro hac vice) SEVERSON & WERSON A Professional Corporation One Embarcadero Ĉenter, Suite 2600 San Francisco, CA 94111 9 Telephone: (415) 398-3344 Facsimile: (415) 956-0439 10 Attorneys for Defendant, Counter-Complainant, Cross-Complainant, and Third-Party Complainant 11 S.J. GARGRAVE SYNDICATE 2724 12 9ZP82 IN THE DISTRICT COURT OF GUAM 13 TERRITORY OF GUAM 14 Civil Case No.: 06-00011 UNITED STATES OF AMERICA, 15 NOTICE OF FILING ORIGINAL Plaintiff. DECLARATION OF FORREST 16 **BOOTH IN SUPPORT OF MOTION TO** REMOVE FROM FILE AND NOT 17 VS. CONSIDER UNAUTHORIZED BRIEF OF MARWAN AND FIVE SEAS INCHCAPE SHIPPING SERVICES GUAM, 18 LLC, 19 Plaintiff in Intervention, Complaint Date: April 19, 2006 20 Trial Date: None Set VS. 21 MARWAN SHIPPING & TRADING CO., 22 | FIVE SEAS SHIPPING CO., LLC, and S.J. GARGRAVE SYNDICATE 2724, in 23 personam, 24 Defendants. 25 AND CROSS-CLAIMS, COUNTERCLAIM, AND CLAIM IN INTERVENTION 27 28

Filed herewith is the original of a previously filed faxed version of the Declaration of Forrest Booth in Support of Motion to Remove From File and Not Consider Unauthorized Brief of Marwan and Five Seas. Dated this _____

day of April, 2007.

ATTORNEY FOR DEFENDANT, CROSS-CLAIMANT

AND COUNTERCLAIMANT S.J. GARGRAVE **SYNDICATE 2724**

CERTIFICATE OF SERVICE

- 1	
2	I, Dorothea Quichocho, hereby certify pursuant to Rule 5(d) Fed. R. Civ. P. that on
3	April 27, 2007, I caused to be served a true and correct copy of the NOTICE OF FILING
4	ORIGINAL DECLARATION OF FORREST BOOTH IN SUPPORT OF MOTION TO
5	REMOVE FROM FILE AND NOT CONSIDER UNAUTHORIZED BRIEF OF
6	MARWAN AND FIVE SEAS to the following:
	R. Michael Underhill, Esq.
7	Attorney in Charge c/o Mike W. Schwab, Esq.
8	OFFICE OF THE UNITED STATES ATTORNEY
9	108 Hernan Cortez Avenue, Suite 500 Hagatna, Guam 96910
10	Attorneys for Plaintiff and Counterdefendant United States of America
11	John E.D. Powell, Esq.
12	c/o Lawrence J. Teker, Esq. TEKER TORRES & TEKER, P.C.
13	Suite 2-A, 130 Aspinall Avenue
14	Hagatna 96910-5018, Guam Attorneys for Defendants and Cross-Defendants Marwan Shipping & Trading Co.
15	and Five Seas Shipping Co., LLC
16	David P. Ledger, Esq.
	Elyze J. McDonald, Esq. CARLSMITH BALL LLP
17	Bank of Hawaii Building
18	Suite 401 134 West Soledad Avenue
19	Hagatna, Guam 96910
20	Attorneys for Intervenor Inchcape Shipping Services Guam LLC
21	Ellen G. Lauck, Esq.
22	c/o Thomas C. Sterling, Esq. BLAIR STERLING JOHNSON MARTINEZ & LEON GUERRERO
23	Suite 1008, Pacific News Bldg. 238 Archbishop F.C. Flores Street
24	Hagatna, Guam 96910-5205
25	Attorneys for Navigators Insurance Co., dba Navigators Protection & Indemnity
	Dated this $\frac{27}{2}$ day of April, 2007. \bigcirc
26	

DOROTHEA QUICHOCHO

28

27